

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

IN RE REFCO INC. SECURITIES LITIGATION :

:
07-MD-1902 (JSR)
:

This document relates to:

KENNETH M. KRYSS, *ET AL.*, :

Plaintiffs, :

-against- :

CHRISTOPHER SUGRUE, *ET AL.*, :

Defendants. :

08-CV-3086 (JSR)

**NOTICE OF MOTION TO
STRIKE OPINIONS OF
PROPOSED EXPERTS
MICHAEL GREENBERGER
AND DAVID WALLACE**

PLEASE TAKE NOTICE THAT upon the accompanying Memorandum of Law in Support of Grant Thornton LLP and Mark Ramler’s Motion to Strike Opinions of Proposed Experts Michael Greenberger and David Wallace, dated August 7, 2012, the undersigned will move this Court, at a date and time to be determined, for an order pursuant to Rule 702 of the Federal Rules of Civil Procedure and the previous rulings in this case (1) striking the expert report and proposed opinions of Michael Greenberger to the extent they relate to Grant Thornton LLP and Mark Ramler (the “Grant Thornton Defendants”) and precluding Plaintiffs from offering Greenberger’s testimony against the Grant Thornton Defendants in any fashion; (2) striking Parts VI.D and VI.F of the expert report of David Wallace and the proposed opinions therein (and any other portions of the report and attachments that relate to those opinions) and precluding Plaintiffs from offering those opinions against the Grant Thornton Defendants in any fashion; and (3) granting such other and further relief as the Court deems just and proper. Unless

the Special Master provides otherwise, Plaintiffs' answering papers shall be due on August 24, 2012, and the reply in support of this motion shall be due on September 5, 2012.

Dated: August 7, 2012
New York, New York

Respectfully submitted,

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